

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

MARY DESMOND, THOMAS ZIOBROWSKI,)
PAUL WATTS on their own behalf and on)
behalf of other participants in the defendant ERISA)
Plans,)

Plaintiffs,

v.

MORTON C. BATT, ANTHONY L. SCIALABBA,))
CITISTREET, LLC, WHITE & WILLIAMS, LLP,)
SCIALABBA & MORRISON, P.C., ANTHONY)
L. SCIALABBA & ASSOCIATES, P.C., THE)
STANDARD AUTOMOTIVE 401(K) PLAN,)
THE STANDARD AUTOMOTIVE EMPLOYER)
CONTRIBUTION PLAN,)

Defendants.

Civil Action No.: 05-10355-NG

**JOINT STIPULATION AND ORDER TO EXTEND TIME UNTIL JULY 22, 2005 TO
ANSWER OR OTHERWISE RESPOND TO THE COMPLAINT**

To the extent the Court's rulings from the Bench at the June 28, 2005 hearing in this matter (and associated Clerk's Notes) constituted a denial of that portion of the Motion of Defendants Anthony L. Scialabba and Anthony L. Scialabba & Associates, P.C. to Dismiss for Lack of Jurisdiction or Improper Venue, or in the Alternative to Transfer seeking dismissal of this action, and thereby triggered the response period set forth in Fed.R.Civ.P. 12(a)(4), Plaintiffs Mary Desmond, Thomas Ziobrowski, and Paul Watts and Defendants Anthony L. Scialabba and Anthony L. Scialabba & Associates, P.C. ("Scialabba Defendants"), by their undersigned

counsel, hereby stipulate and agree that the time within which the Scialabba Defendants must answer or otherwise respond to the Complaint is extended to and including July 22, 2005, and respectfully request that the Court grant this stipulated extension of time.

Respectfully submitted,

MARY DESMOND, THOMAS ZIOBROWSKI,
AND PAUL WATTS

ANTHONY L. SCIALABBA and
ANTHONY L. SCIALABBA &
ASSOCIATES, P.C.

/s/Thomas P. Smith (by Attorney Jacobs, with authority)

Matthew A. Caffrey

Thomas P. Smith

CAFFREY & SMITH, P.C.

300 Essex Street

Lawrence, MA 01840

(508) 686-3399

/s/Ronald M. Jacobs

Ronald M. Jacobs (#561535)

CONN KAVANAUGH ROSENTHAL
PEISCH & FORD, LLP

Ten Post Office Square

Boston, MA 02109

(617) 482-8200

SO ORDERED: _____

Dated: July 7, 2005

Nancy Gertner, U.S.D.J

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served on those parties whose counsel have registered with the Court's ECF service by employing such service for filing this document and upon pro so defendant Morton C. Batt on July 7, 2005 by mailing a copy to Morton C. Batt, 2424 NW 63rd Street, Boca Raton, FL 33496-3626.

/s/Ronald M. Jacobs